

REMARKS

In view of the following remarks, the Examiner is respectfully requested to withdraw the rejections and allow claims 11, 13-15, 18, 27, 30, 31 and 34, the only claims pending and currently under examination in this application.

The amendments to Claims 11, 27 and 31 find support in the specification at page 8, lines 1 to 5. The remaining amendments to Claims 13 and 14 clarify the claim language. As these amendments introduce no new matter, their entry by the Examiner is respectfully requested.

Claim Objections

Claims 11, 13 and 14 were objected to due to recitation of the phrase “vector comprises a transposase domain”. It is the position of the Examiner that this language “would imply that a vector comprises a protein”. Claims 13 and 14 are amended to specify “transposase encoding domain”; support for which amendment may be found throughout the specification, such as, for example at paragraph 0024, first sentence. Accordingly, this objection is addressed by amendment and may be withdrawn.

Claim Rejections – 35 USC § 102

Claims 11, 13-15, 18, 27, 31 and 34 were rejected as allegedly being anticipated by Fogarty et al. (U.S. Patent No. 6,291,243). The claims require the presence of a p-feet flanked domain of at least 2000 bp comprising a transcriptionally active gent that is less than 1000 bp from one of the p-feet. It is not seen where this element is taught in the cited '243 patent.

CONCLUSION

Applicant submits that all of the claims are in condition for allowance, which action is requested. If the Examiner finds that a telephone conference would expedite the prosecution of this application, please telephone the undersigned at the number provided.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number TOSK-007CON.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date: June 16, 2008

By: /Gina C. Freschi, Reg. No. 52,062/
Gina C. Freschi
Registration No. 52,062

Date: June 16, 2008

By: /Bret E. Field, Reg. No. 37,620/
Bret E. Field
Registration No. 37,620

BOZICEVIC, FIELD & FRANCIS LLP
1900 University Avenue, Suite 200
East Palo Alto, California 94303
Telephone: (650) 327-3400
Facsimile: (650) 327-3231